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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERTO CABALLERO ARMAS, HIRAM
SUAREZ TOLEDO, AND LAURA MORENO
LAMAS,

Plaintiffs,

vs.

DAVID KENT SIMONS; NELSON'S INC.
DOES I THROUGH X, Inclusive; and Roe
Business Entities I through X, inclusive,

Defendants.

Case No. 2:24-cv-1997-CDS-EJY

**STIPULATION TO EXTEND
DISCOVERY DEADLINES**

(FIRST REQUEST)

Plaintiffs, Roberto Caballero Armas, Hiram Suarez Toledo, And Laura Moreno Lamas (collectively "Plaintiffs") and Defendants, David Kent Simons and Nelson's Inc. (collectively "Defendants"), through their respective attorneys of record, hereby jointly stipulate and respectfully request this Honorable Court order a continuance of the discovery deadlines for one-hundred twenty (120) days pursuant to FRCP 26 and Local Rule 26.

1. **Discovery Completed:** To date, the parties have participated in the 26(f) conference and made initial disclosures of documents and witnesses. To date, the parties have served only initial disclosures. Defendants have propounded written discovery.

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1 2. **Discovery remaining to be completed:** The parties will continue propounding and
2 responding to written discovery. The parties need to complete the depositions of Plaintiff, percipient
3 fact witnesses, and the 30(b)(6) witness. Additionally, follow-up written discovery, expert
4 disclosures, expert depositions and any and all other additional discovery as necessary still needs to
5 be completed.

6 3. **Description of why remaining discovery has not been completed within the time limits**
7 **previously set by the court:**

8 The parties assert that good cause exists for a one-hundred twenty (120) day extension. The
9 parties have worked diligently and have been compliant with all prior deadlines and there is still
10 months before discovery closes in this matter, however, due to the new circumstances presented, and
11 as set forth in further detail below, the parties jointly submit good cause exists to grant the extension
12 requested.

13 Local Rule 26-3 governs this Stipulation requesting an extension of expert disclosure
14 deadlines. This Local Rule imposes a good cause standard to earn the extension:

15 A motion or stipulation to extend a deadline set forth in a discovery plan must be
16 received by the court no later than 21 days before the expiration of the subject
17 deadline. A request made within 21 days of the subject deadline must be supported
18 by a showing of good cause. A request made after the expiration of the subject
19 deadline will not be granted unless the movant also demonstrates that the failure to
20 act was the result of excusable neglect.

21 Here, good cause supports extending the discovery deadlines. Pursuant to Local Rule 26-3,
22 this Stipulation was agreed upon and submitted after 21 days before the first deadline. Due to recent
23 serious medical issues suffered by the handling attorney, Anthony Ashby, Esq., for Plaintiff. Due to
24 these issues, the matter was transferred to a different handling attorney, Daniel C. Tetreault, Esq., at
25 Ladah Law Firm on February 13, 2025. Undersigned counsel requests additional time review the file
26 as well as to conduct necessary discovery as well as determine the necessary experts. The Parties'
27 request is made in good faith and not for purposes of delay
28



4. **Proposed schedule for completing all remaining discovery:** Based on the foregoing, the parties respectfully request that the Court grant their joint request to extend the discovery deadlines, as follows:

Description	Current Deadline	Proposed Deadline
Discovery Cutoff	4/22/2025	8/20/2025
Deadline to Amend Pleadings/Add Parties	1/22/2025	5/22/2025
Initial Expert Deadline	2/21/2025	6/20/2025
Rebuttal Expert Deadline	3/24/2025	7/21/2025
Dispositive Motion Deadline	5/22/2025	9/19/2025
Pre-Trial Order, if no dispositive Motions	6/23/2025	10/20/2025

5. A Trial date has not been set in this case. Accordingly, granting the Stipulation will not create unnecessary delay in resolving this case on its merits.

6. The Parties agree that since this is a joint request, no party will be prejudiced if the requested extension occurs.

7. The Parties respectfully request that this Stipulation to Extend Deadlines be granted and that the Court adopt the proposed deadlines listed herein.

Dated this 18th day of February, 2025.

Dated this 18th day of February, 2025.

LADAH LAW FIRM

WILSON ELSEER MOSKOWITZ EDELMAN &
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By: /s/ Ramzy P. Ladah

By: /s/ Kevin A. Brown

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IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Date: February 18, 2025

